THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ARIAN KOHLER, :

Plaintiff, : CIVIL ACTION NO. 3:19-CV-1310

: (JUDGE MARIANI)

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SELECTIVE FIRE AND CASUALTY

INSURANCE COMPANY,

Defendant. :

<u>ORDER</u>

AND NOW, THIS ______DAY OF SEPTEMBER 2022, upon consideration of Selective Fire and Casualty Insurance Company's Motion for Summary Judgment (Doc. 19) and all relevant documents, IT IS HEREBY ORDERED THAT:

- Selective Fire and Casualty Insurance Company's Motion for Summary Judgment (Doc. 19) is GRANTED IN PART and DENIED IN PART;
- The Motion is GRANTED as to Plaintiff's claim for Breach of Contract in Count I of the Complaint (Doc. 1 at 8) and requests for declaratory relief sections (a) through (d) of the "Wherefore" clause of Defendant's Counterclaim (Doc. 7 at 14);
- 3. The Motion is **DENLED** as to Plaintiff's claim for Bad Faith in Count I of the Complaint (Doc. 1 at 9) and the additional relief requested in Defendant's Counterclaim (Doc. 7 at 14-15);

- 4. Defendant's request for oral argument (Doc. 19 at 1) is **DENIED**;
- Selective Fire and Casualty Insurance Company's Motion to Bifurcate and/or Stay Discovery on Bad Faith Claims (Doc. 14) is **DEEMED MOOT**.

Robert D. Mariani

United States District Judge